

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

**SECURITIES AND EXCHANGE  
COMMISSION,**

**Plaintiff,**

**-against-**

**NUTRA PHARMA CORPORATION,  
ERIK DEITSCH a/k/a RIK DEITSCH, and  
SEAN PETER McMANUS,**

**Defendants.**

**18 Civ. 05459 (JS) (ST)**

**NOTICE OF PLAINTIFF SECURITIES AND EXCHANGE COMMISSION'S  
MOTION FOR PARTIAL SUMMARY JUDGMENT**

**PLEASE TAKE NOTICE** that, on May 21, 2021, or as soon thereafter as counsel may be heard, the undersigned attorneys for Plaintiff Securities and Exchange Commission (the "SEC") shall move before the Honorable Joanna Seybert, United States District Judge, of the United States District Court for the Eastern District of New York, at the Alfonse M. D'Amato Federal Building, 100 Federal Plaza, Courtroom 1030, Central Islip, New York 11722, for the entry of an order granting the SEC's Motion for Partial Summary Judgment.

**PLEASE TAKE FURTHER NOTICE** that, in support of this motion, the SEC will be relying upon (1) its Memorandum of Law in Support of Plaintiff SEC's Motion for Partial Summary Judgment; (2) its Local Civil Rule 56.1 Statement; (3) the Declaration of Lindsay S. Moilanen, and the exhibits attached thereto; and (4) the Declaration of Elizabeth Baier and the exhibits attached thereto, which are filed herewith.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the Court's minute Order dated March 24, 2021, Defendants' oppositions shall be filed no later than May 7, 2021, and the Commission shall file any reply papers no later than May 21, 2021.

Dated: April 9, 2021  
New York, New York

SECURITIES AND EXCHANGE COMMISSION

By: /s/ Lee A. Greenwood  
Lee A. Greenwood  
Preethi Krishnamurthy  
Lindsay S. Moilanen  
Securities and Exchange Commission  
New York Regional Office  
200 Vesey Street, Suite 400  
New York, NY 10281  
(212) 336-1060 (Greenwood)

*Attorneys for Plaintiff*